

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MAURICE SIMMONS,	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 3:07-CV-1029-M
v.	§	
	§	
CADENCE DESIGN SYSTEM, INC.	§	
	§	
Defendant.	§	
_____	§	


**ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After making an independent review of the pleadings, files and records in this case, and the Findings, Conclusions and Recommendation of the United States Magistrate Judge dated January 31, 2008, the Court finds that the Findings and Conclusions of the Magistrate Judge recommending dismissal of certain claims are correct.

Plaintiff's claims for defamation, workers' compensation retaliation, and intentional infliction of emotional distress are barred because the statute of limitations has run on each. Plaintiff was terminated on February 17, 2005, and the statutes of limitation began running on these claims on that date. The defamation claim has a one year statute of limitations. The other claims are subject to a two year statute of limitations. Filing of a Title VII EEOC charge does not toll limitations on these claims. Plaintiff did not plead any post-termination conduct to support such claims. Therefore, since this suit was filed on April 10, 2007, more than two years after Plaintiff was terminated, each of these claims is barred by limitations.

IT IS, THEREFORE, ORDERED that the Findings, Conclusions and Recommendation of the United States Magistrate Judge are accepted.

SO ORDERED this 18th day of March, 2008.


BARBARA M.G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS